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Margaret M. Hasson

PATENT

Attorney Docket No.: 51302-00002 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Acey, et al.  
**Serial No.:** 10/797,748  
**Filed:** March 9, 2004  
**Title:** METAL BINDING PROTEINS AND ASSOCIATED METHODS

**Conf. No.:** 4003  
**Examiner:** Unknown  
**Art Unit:** 1645

PRELIMINARY AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to the examination of the above-identified patent application, Applicants respectfully request the consideration and entry of the following Preliminary Amendment.

Applicants respectfully acknowledge the Restriction Requirement of November 7, 2002 in U.S. Patent Application Serial No. 09/948,495, which has now issued as U.S. Patent No. 6,750,056. Applicants elect to prosecute Invention III encompassing Claims 7-14, drawn to a method for removing metals from a substrate or from waste using a metal binding protein or recombinant bacteria producing said protein, classified in class 435, subclass 262.5.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 6 of this paper.